

## REMARKS

Claims 100, 105-106, 108, 111-112, and 116-131 have been amended. No claims have been added or cancelled. Therefore, claims 100-131 are pending in the application.

### I. REFERENCE CITED IN PTO FORM 1449 BUT NOT ACKNOWLEDGED BY EXAMINER

Applicants filed Information Disclosure Statements with PTO Form 1449 on the following dates: 8/15/07, 5/20/08, 10/24/08, 11/19/08, and 6/30/09, but has not yet received an acknowledgement of consideration. Applicant respectfully requests that the Examiner kindly initial and supply a copy of the initialed PTO Forms 1449 with the next communication.

### II. SUMMARY OF EXAMINER INTERVIEW

On November 24, 2009, Applicants' representatives, Deborah Caswell and Marcel Bingham, met with Examiner Harper to discuss the rejection of Claim 100 in view of the prior art. Specifically, Applicants wanted to better understand the correspondence between reference elements and the claim elements to determine how best to clarify the claims. Examiner is thanked for granting the interview, for his clear explanation of his interpretation of the claims relative to the references, and for his feedback that the proposed clarifying claim amendments will move prosecution forward.

### III. ISSUES RELATED TO THE PRIOR ART – SECTION 103 – *THOMSON AND SRIVASTAVA*

Claims 100-131 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Thomson* (US 20040034615) in view of *Srivastava* (US 6,549,922). The rejection is respectfully traversed.

#### **Claims 100 and 116**

Claims 100 and 116 recites in part:

*“wherein said source database **includes** source database metadata that describes a **structure of** database objects of said source database”*

No combination of *Thomson* and *Srivastava* teaches or suggests the quoted feature. The Office Action acknowledges that *Thomson* does not teach the quoted feature, and relies instead on the passage at col. 4, lines 31-39 of *Srivastava* to allegedly teach this feature. However, the metadata described in the cited passage of *Srivastava* are annotations embedded within a media file. The annotations describe the content of the digital media, not the structure, as claimed. Even though the file format specifications used by the metadata extractor to locate the metadata within the file may describe the structure of the file, the media file does not include the file format specifications, as claimed. Thus, neither *Thomson* nor *Srivastava* teaches or suggests the quoted feature.

Applicant has identified a feature of Claims 100 and 116 that is not taught or suggested by any combination of *Thomson* and *Srivastava*. Therefore, Claims 100 and 116 are patentable under 35 U.S.C. §103(a) over the combination of *Thomson* and *Srivastava*. Reconsideration and withdrawal of the rejection is respectfully requested.

#### **Claims 108 and 124**

Claims 108 and 124 recite a very similar feature to the quoted feature of Claims 100 and 116:

*“wherein said source database **includes** source database metadata that describes a **structure** of said internal database object of said source database”*

The Office Action states that Claims 108 and 124 are rejected for the same reasons as for Claims 100 and 116. Thus, the arguments given above that traverse the rejection of claims 100 and 116 also traverse the rejection of Claims 108 and 124. Therefore, Claims 108 and 124 are each patentable under 35 U.S.C. §103(a) over the combination of *Thomson* and *Srivastava*. Reconsideration and withdrawal of the rejection is respectfully requested.

### **Dependent Claims**

Each of the claims not discussed thus far is directly or indirectly dependent on one of the independent claims that has been shown above to be patentable over the combination of *Thomson* and *Srivastava*. The dependent claims are patentable over the combination of *Thomson* and *Srivastava* for at least the same reasons as for their independent base claim by virtue of their dependency. Therefore, each of the dependent claims is patentable under 35 U.S.C. §103(a) over the combination of *Thomson* and *Srivastava*. Reconsideration and withdrawal of the rejection is respectfully requested.

In addition, each of the dependent claims introduces one or more additional features that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those features is not included at this time.

### **IV. CONCLUSION**

For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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